

**Missouri Division of Cannabis Regulation
Guidance Document – 09.18.2023**

Topic: Effectiveness of the Statewide Track and Trace System and the Established Cannabis Testing Regulations

The Division of Cannabis Regulation has received questions about the effectiveness of the statewide track and trace system (Metrc) and the cannabis testing regulations established for licensed marijuana facilities in Missouri.

If marijuana product is recorded in Metrc as passing all required testing, how can a product still present a potential health risk?

- Intentional falsification of Metrc records or non-compliance with test sample requirements can result in unreliable test results. Testing results in the regulated cannabis industry are only as good as compliance with sampling requirements and only as good as compliance with tracking requirements. Where records are falsified or sampling requirements are not followed, a passing test result does not mean all cannabis in a harvest or production lot has been appropriately evaluated.
- Incorporation of unregulated cannabis into regulated product can also present health risks that the required testing regime would not detect. Unregulated cannabis is often grown or processed with methods or treatments that cannabis in a regulated setting would not be subjected to. For example, chemical conversion of CBD to produce THC can result in product with harmful residual solvents, other harmful compounds, and even new compounds of unknown impact. Also, misuse of highly toxic and illegal pesticides in unregulated cannabis production can cause either acute health risks or health risks that accumulate over time and with repeated exposure. Missouri's cannabis testing regulations are some of the most stringent in the nation. However, these testing regulations are designed specifically for Missouri's regulated market where licensees are highly motivated to create products without use of toxic and illegal compounds and subjected to layers of oversight to ensure they do not engage in such behavior.

If licensees can falsify tracking information in ways that cause public health risks, how can downstream licensees protect themselves from purchasing noncompliant product from bad actors?

The risk of bad actors attempting to circumvent regulatory requirements exists in every regulated industry. However, DCR is committed to investigating any evidence of tracking and testing evasion/manipulation and treating these events as particularly egregious violations. Where such behavior is found, DCR will use all possible avenues to ensure consequences are appropriately severe and public health is protected, as Article XIV requires. Licensees can take measures to develop best practices for reviewing the legitimacy of the product they are acquiring, such as questioning unusually low prices and unusually high availability of supply, or asking for evidence of the source of the product as a matter of course. Licensees may also wish to establish contractual arrangements for return or refund of products later deemed noncompliant.